

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

KATINA M. RAY, )  
                    )  
Plaintiff,       )  
                    )  
v.                )     No. 3:09-CV-120  
                    )     (Phillips/Guyton)  
MICHAEL J. ASTRUE, )  
COMMISSIONER OF SOCIAL SECURITY, )  
                    )  
Defendant.       )

**MEMORANDUM OPINION**

This Social Security appeal is before the Court on the report and recommendation (“R&R”) filed by United States Magistrate Judge H. Bruce Guyton [Doc. 17]. There have been no timely objections to the R&R, and enough time has passed since the filing of the R&R to treat any objections as having been waived. See 28 U.S.C. § 636(b)(1); Fed.R.Civ.P. 72(b).

After a careful review of this matter, the Court is in complete agreement with the magistrate judge’s conclusion that plaintiff’s Motion for Judgment on the Pleadings [Doc. 11] be denied, and that defendant Commissioner’s Motion for Summary Judgment [Doc. 15] be granted. Accordingly, the Court **ACCEPTS IN WHOLE** the R&R [Doc. 17] under 28 U.S.C. § 636(b)(1) and Fed.R.Civ.P. 72(b).

It is **ORDERED**, for the reasons stated in the R&R [Doc. 17], that plaintiff's Motion for Judgment on the Pleadings [Doc. 11] is **DENIED**, and that defendant Commissioner's Motion for Summary Judgment [Doc. 15] is **GRANTED**. Accordingly, the Commissioner's decision denying plaintiff's application for benefits under the Social Security Act is **AFFIRMED**, and this case is **DISMISSED**.

**ENTER:**

s/ Thomas W. Phillips  
United States District Judge